

THE HONORABLE BENJAMIN H. SETTLE

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA, for the Use
and Benefit of D&D CONSTRUCTION I, INC.,
A Washington corporation,

Plaintiff,

v.

FIDELITY & DEPOSIT COMPANY OF
MARYLAND, a Maryland corporation,

Defendants.

No. 3:23-cv-05308-BHS

**STIPULATED ORDER FOR
ADDITIONAL STAY**

**NOTE ON MOTION CALENDAR
TUESDAY, May 14, 2024**

PLAINTIFF United States of America, for the Use and Benefit of D&D Construction I, Inc. (“D&D” or “Plaintiff”) and Fidelity & Deposit Company of Maryland (“Defendant”) hereby submit the following Stipulated Motion to Stay.

The parties hereby jointly move for an additional stay of this matter for a period of 6 months. The project at issue in this matter was issued a Termination for Convenience by the project owner, the United States Army Corps of Engineers (“USACE”). D&D’s claim has been submitted for payment to the USACE pursuant to the termination for convenience process as outlined in FAR 52.249-2. The basis for this request for stay is to await the decision of the USACE regarding the D&D claim.

Accordingly, the parties again jointly move this Court for an additional stay of all deadlines,

STIPULATED ORDER FOR ADDITIONAL STAY
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including the answer and responsive pleading deadline, and all other case deadlines for an additional six (6) months, or no sooner than November 14, 2024. At the end of the stay, the parties will update the Court on the status of the dispute.

DATED this 14th day of May, 2024

GORDON THOMAS HONEYWELL LLP

DORSEY & WHITNEY LLP

s/ Mitchell J. Wright

s/ Emily A. Yoshiwara

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Counsel for Defendant

ORDER

Good Cause Appearing, this Case and all deadlines shall be extended and stayed for a period of six (6) months to November 14, 2024.

DATED this 14th of May, 2024



BENJAMIN H. SETTLE
United States District Judge

Presented by:

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CERTIFICATE OF SERVICE

I hereby certify that on this date I caused to be served the foregoing on the following
counsel of record by the method indicated:

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***Attorney for Plaintiff D&D Construction I,
Inc.***

Dated this 14th day of May, 2024.

/s/ Rachel Leigh

Rachel Leigh, Legal Assistant